

**SEMINOLE COUNTY GOVERNMENT  
AGENDA MEMORANDUM**

**SUBJECT:** CONSERVATION VILLAGE DESIGN CONCEPT COMPREHENSIVE  
PLAN TEXT AMENDMENTS

**DEPARTMENT:** Planning & Development **DIVISION** Planning

**AUTHORIZED BY:** Donald S. Fisher **CONTACT:** Tony Walter **EXT.** 7375

**Agenda Date** 12/9/03 **Regular** ☐ **Consent** ☐ **Work Session** ☐ **Briefing** ☐  
**Public Hearing – 1:30** ☐ **Public Hearing – 7:00** ☒

**MOTION/RECOMMENDATION:**

1. ADOPT an ordinance approving the proposed text amendments to the Future Land Use Element of the Seminole County Vision 2020 Comprehensive Plan to implement the Conservation Village Design Concept in Sub Area – 1 of the Myrtle Street Special Study Area; or
2. NOT ADOPT the proposed text amendments to the Future Land Use Element of the Seminole County Vision 2020 Comprehensive Plan to implement the Conservation Village Design Concept in Sub Area – 1 of the Myrtle Street Special Study Area; or
3. CONTINUE this item to a date and time certain.

District 5 – McLain

Tony Walter, Assistant Planning Manager

**BACKGROUND:**

On August 12, 2003 the Board of County Commissioners transmitted the proposed text amendments to the Seminole County Vision 2020 Comprehensive Plan to the Florida Department of Community Affairs (DCA) for their review and comment. The purpose of the proposed text amendments is to facilitate the implementation of the Conservation Village Design Concept in Sub Area – 1 of the Myrtle Street Special Study Area.

The recommended text amendments to the Future Land Use Element to the Vision 2020 Comprehensive Plan transmitted to the DCA August 12, 2003 will facilitate the implementation of the Conservation Village Design Concept. Additional amendments in the Spring 2004 Amendment Cycle may be required if the Board directs staff to implement density incentives.

Reviewed by: KCC  
Co Atty: KCC  
DFS: MW  
Other: SS  
DCM: TCB  
CM: TCB

File No. PH700PDP03

Since the proposed text amendments were transmitted, Phase III of the Myrtle Street Special Area Study was initiated and is nearing completion. The purpose of Phase III is to identify and prepare proposed amendments to the Comprehensive Growth Management Plan and Land Development Code to incorporate policies and code provisions supportive of Conservation Village design concepts.

A brief summary of Phase III activities supporting the recommended text amendment and the progress of the remaining implementation efforts is attached.

**STAFF RECOMMENDATION:**

Staff recommends that the BCC ADOPT the proposed text amendments to the Future Land Use Element of the Seminole County Vision 2020 Comprehensive Plan to implement the Conservation Village Design Concept in Sub Area – 1 of the Myrtle Street Special Study Area.

**COMMISSION/BOARD RECOMMENDATIONS/ACTIONS:**

- **LPA/P&Z – 07/23/03:** The LPA/P&Z voted to recommend transmitting the proposed amendments (4 – 1)
- **BCC – 08/12/03:** The BCC voted to transmit the proposed amendments (4-0)
- **Objections Recommendations and Comments (ORC) Report of DCA – 11/07/03:** No objections, recommendations or comments were made regarding this item.

**PUBLIC COMMENT:**

The Development Advisory Board (DAB) and the Sustainable Community Advisory Council (SCAC) were briefed on the proposed amendments. Any comments received will be noted at the hearing.

**ATTACHEMENTS:**

- Copy of Text Amendments
- November 7, 2003 DCA Letter
- Note on Ordinance Adoption
- Economic Impact Statement
- Private Property Rights Analysis
- Summary of Phase III Activities
- July 23, 2003 LPA/P&Z Minutes
- August 12, 2003 BCC Minutes – Transmittal Hearing

# CONSERVATION VILLAGE TEXT AMENDMENTS

## OBJECTIVE FLU      SPECIFIC AREA PLANS

### Amendment 03F.TXT03.1 New Policy

#### **Policy FLU 9.3 Myrtle Street Study Area Conservation Village Development Concept**

The County shall provide for creative design concepts focused on preservation of natural open spaces, sensitive lands and area character within planned unit developments in the Myrtle Street Special Study area to:

- A Maximize preservation of conservation areas and unique features of the site;
- B Encourage creative design by clustering homes into "villages" surrounded by natural open spaces;
- C Incorporate trail and pedestrian opportunities;
- D Promote enhanced street systems resulting in reduced infrastructure and impervious surfaces;
- E Provide for storm water conveyance and retention that exceeds on-site requirements; and
- F Provide for an opportunity to apply for density bonuses to encourage developments with significant public benefit as they relate to roads, water, sewer and storm water infrastructure, preservation of upland open areas, and quality of life in Seminole County.

### Amendment 03F.TXT03.2 Addition to Issues and Concerns

#### **Issue FLU 7 Special Area Plans and Evaluation and Appraisal Report Amendments**

Since Plan adoption in 1991, several areas of the County have been identified as requiring more effective growth management techniques and community consensus building to ensure consistency with the goals and objectives of the Future Land Use Element. To address these concerns, several special area studies have been completed. Included among these is the "GreeneWay/SR 434 Small Area Study" (1994), "Airport Area Land Use Study" (1995), Northwest HIP Study (1995 and associated North I-4 Target Area Master Plan in 1996), "Chuluota Small Area Study" (1999), "Wekiva Special Area Study" (1999), and "Myrtle Street Special Area Study (2003)".

These studies have resulted in future land use amendments and/or policy amendments to the Plan to manage growth and development more effectively.

Additionally, in 1999, upon evaluation of the *Exhibit FLU: Future Land Use Map*, the County adopted a number of administrative future land use amendments on properties throughout the County where it was determined that the existing future land use designation was no longer appropriate. These future land use amendments and amendments resulting from the Chuluota Small Area Study and Wekiva Special Area Study were identified in the County's 1999 Evaluation and Appraisal Report found sufficient by the Florida Department of Community Affairs.



STATE OF FLORIDA  
**DEPARTMENT OF COMMUNITY  
AFFAIRS**

*"Dedicated to making Florida a better place to call home"*

JEB BUSH  
Governor

COLLEEN CASTILLE  
Secretary

November 7, 2003

Mr. Daryl G. McLain, Chairman  
Seminole County  
Board of County Commissioners  
1101 E. First Street  
Sanford, FL 32771

Dear Chairman McLain:

The Department has completed its review of the proposed Comprehensive Plan Amendment for Seminole County (03-2), which was received on September 9, 2003. Copies of the proposed amendment have been distributed to appropriate state, regional and local agencies for review and their comments are enclosed.

The Department has reviewed the proposed amendment for consistency with Rule 9J-5, Florida Administrative Code (F.A.C.), Chapter 163, Part II, Florida Statutes (F.S.), and the adopted Seminole County Comprehensive Plan. The Department raises no objection to the proposed amendment, and this letter serves as the Department's Objections, Recommendations and Comments Report.

In order to expedite the regional planning council's review of the amendments, and pursuant to Rule 9J-11.011(5), F.A.C., please provide a copy of the adopted amendment directly to the Executive Director of the East Central Florida Regional Planning Council. Please contact Marina Pennington, Regional Planning Administrator, at (850) 922-1809, or Jana C. Zmud, Planner, at (850) 922-1827, if we can be of further assistance.

Sincerely,

Valerie J. Hubbard, AICP  
Director, Division of Community Planning

VJH/jez

Enclosures: Review of Agency Comments

cc: J. Kevin Grace, Seminole County Manager  
Don Fisher, Seminole County Planning Director  
Matt West, Seminole County Planning Manager

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***Note Regarding the 2003 Fall Cycle  
Large Scale Land Use and Text Amendment Ordinance Adoption***

Should the Board of County Commissioners ("the Board") move to adopt an amendment for this hearing item, the ordinance will be presented to the Board for enactment following the last large scale amendment hearing of this cycle. The ordinance presented to the Board for enactment will include all the previously approved hearing items, if any, for this large scale amendment cycle. The proposed ordinance title is:

**AN ORDINANCE AMENDING THE VISION 2020 SEMINOLE COUNTY COMPREHENSIVE PLAN; AMENDING THE CAPITAL IMPROVEMENTS ELEMENT; AMENDING THE FUTURE LAND USE ELEMENT; AMENDING THE TRANSPORTATION ELEMENT; AMENDING THE FUTURE LAND USE DESIGNATION OF A CERTAIN PROPERTY; PROVIDING FOR LEGISLATIVE FINDINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

ECONOMIC IMPACT STATEMENT  
FOR THE  
"CONSERVATION VILLAGE"  
TEXT AMENDMENT TO THE SEMINOLE COUNTY COMPREHENSIVE PLAN

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**Describe Project/Proposal**

The proposed text amendment is to facilitate a creative design concept focused on preservation of natural open spaces, sensitive lands and area character within planned unit developments in the Myrtle Street Special Area Study.

**Describe the Direct Economic Impact of the Project/Proposal upon the Operation of the County**

The text amendment informs the County staff, potential developers and property owners about the measures to be considered if the Conservation Village design concept is used in the Myrtle Street area. The long term economic impact expected would be to preserve in terms of quality and quantity natural open spaces, sensitive lands and the area character by reducing direct development impacts and encouraging higher quality development.

**Describe the Direct Economic Impact of the Project/Proposal upon the Property Owners/Tax Payers. Citizens who are Expected to be Affected**

The direct economic impact upon property owners/ tax payers and citizens is to facilitate higher quality development, preserved natural open spaces and sensitive lands and potential higher property values.

**Identify Any Potential Indirect Economic Impacts, Positive or Negative Which Might Occur as a Result of the Project/Proposal**

There is a potential of slightly higher County development review costs which may be offset by increased property tax revenues as a result of increased property values.

This document was prepared by the Planning Division representing the Seminole County Planning and Development Department.

PRIVATE PROPERTY RIGHTS ANALYSIS  
FOR THE  
"CONSERVATION VILLAGE"  
TEXT AMENDMENT TO THE SEMINOLE COUNTY COMPREHENSIVE PLAN

**Amendment to the Comprehensive Plan of Seminole County**

The purpose of the text amendment is to facilitate a creative design concept focused on preservation of natural open spaces, sensitive lands and area character within planned unit developments in the Myrtle Street Special Area Study.

**Zoning Standards**

The proposed comprehensive plan text amendment will be implemented by amending the Seminole County Land Development Code. No new zoning category is proposed.

**Estimate Economic Impact on Individuals, Businesses or Government**

The direct economic impact upon property owners/ tax payers and citizens is to facilitate higher quality development, preserved natural open spaces and sensitive lands and potential higher property values.

**Anticipated New, Increased, or Decreased Revenues**

There is a potential of slightly higher County development review costs which may be offset by increased property tax revenues as a result of increased property values.

**Estimated Impact upon Competition and the Open Market for Employment**

There is not negative or positive impact upon competition and the open market for employment anticipated as a result of the proposed comprehensive plan text amendment.

**Data and Method Used to Determine Analysis**

County Staff met with County departments, neighborhood and interest groups to assess current and proposed comprehensive plan land use policies and thus determined the potential economic and private property rights impacts associated with these amendments.

**Citation**

This amendment does effect land development regulations or private property rights as described above and defined in Policy FLU 12.3 Evaluation of New Land Development Regulations, Seminole County Vision 2020 Comprehensive Plan, Page FLU – 50, July 2002

This document was prepared by the Planning Division representing the Seminole County Planning and Development Department.

## Myrtle Street Special Area Study Phase III Summary

The first task of Phase III was to review the Comprehensive Plan and Land Development Code to identify appropriate amendments to facilitate implementation of the Conservation Village Concept. Both the Comprehensive Plan and the Land Development Code already support characteristics of Conservation Village such as; preservation of character and open space, cluster development, conservation criteria, flexible lot requirements, creative design process, conservation easements, and incentives. The attached Executive Summary provides more detail. However, Comprehensive Plan and Land Development Code changes specific to the Myrtle Street Sub Area – 1 and the Conservation Village Design Concept are required.

The public and stakeholder involvement process is the heart of Phase III. It is designed to continue involvement of residents and property owners within the study area and to inform and seek input from the development community and regulatory agencies. The Community Task Force that was established in Phase II of the study serves to review and comment on all aspects of the study. The focus groups, their purpose, members and input to date are presented below.

Member Description	Purpose	Input
<b>“Development Community”</b> – a small group of individuals involved in local land development activities, including developers, professional services (engineers, land planners, attorneys), real estate, etc.	The purpose of this session was to obtain feedback on conservation design approaches and potential implementing policies or regulations, potential opportunities and constraints to such development in the area, potential infrastructure cost savings, and the potential effectiveness of incentives to encourage such practices.	<b>Solid</b> concept with significant potential and benefit. <b>Issues</b> of concern: <ul style="list-style-type: none"> <li>• Open space maintenance</li> <li>• Density &amp; clustering reducing costs?</li> <li>• Incentives needed to entice and improve feasibility</li> <li>• Swales/ditches developed in segments may be inconsistent with a larger system</li> </ul> <b>Myrtle Street</b> related



		<p>comments:</p> <ul style="list-style-type: none"> <li>• Groundwater level impacts cost of infrastructure and streets</li> <li>• Minimum 2.5 to 3.0 DU/AC needed in area to be feasible with improvements</li> </ul> <p><b>Enjoyed</b> and appreciated opportunity for input</p>
<p><b>“Interagency Focus Group”</b> a small group of individuals representing Seminole County departments and other area agencies with potential interest in conservation-oriented development (St John’s River Water Management District, state/federal environmental resource agencies) etc.</p>	<p>The purpose of this session was to obtain feedback on conservation design approaches and potential opportunities and constraints to such development in the area, in terms of particular agency programs, requirements or concerns and potential infrastructure cost savings.</p>	<p><b>Drainage</b> should focus on volume, diversion and water quality. <b>Countywide</b> vs. Myrtle Street</p> <ul style="list-style-type: none"> <li>• Desirable as a “test balloon” for the rest of the county</li> <li>• Increased size of developable area improves chances of success</li> </ul> <p><b>Primary</b> and <b>Secondary</b> Conservation standards should follow current requirements. <b>Determination</b> of density should follow current format. <b>Development</b> of conservation villages by right (instead of PUD) sounds more effective. <b>Maintenance</b> endowment a <b>MUST</b> to maintain conservation areas.</p>
<p><b>“Community Task Force”</b> property owners and residents as well as interested attendees from the Phase II study effort.</p>	<p>The purpose of these sessions was to obtain feedback on all aspects of the study.</p>	<p><b>Participants</b> from the Task Force would like to present their comments at the meeting.</p>

<p><b>“Land Planning Agency/ Planning &amp; Zoning Commission”</b></p>	<p>Prior to the BCC public hearing staff will brief the LPA/ P&amp;Z members on the proposed Comprehensive Plan Amendment(s) and other recommendations resulting from Phase III of the study.</p>	<p><b>Thought</b> the concept is innovative and doable if the “bottom line” works. <b>Liked</b> the idea that the developer would have to “earn” additional density over 1.0 du/ac. <b>Recommended</b> additional bonus options to be explored to create more flexibility. <b>This</b> concept could be used successfully in other areas of the County. <b>Thought</b> “Endowment” fund unnecessary and a burden on developer. HOA could maintain Conservation Open Space lands.</p>
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Attachments: Myrtle Street Special Area Study – Phase III Executive Summary  
11/05/03 LPA/P&Z Draft Meeting Minutes

# Myrtle Street Special Area Study

## Phase III

### Executive Summary

#### Review of Comprehensive Plan and Land Development Code

POLICY	TEXT	REFERENCE
Preservation of Character and Open Space	Vision 2020..."has created a solid foundation for future planning and includes an adopted future land use map and facility strategy which effectively limits urban sprawl; a natural lands acquisition and management program that was designed to restore key ecosystems and protect wildlife and natural areas; an economic incentives program to attract targeted industries and create new high paying jobs; a unique urban design element and program to maintain community quality and create neighborhood compatibility; and a secure and solid infrastructure support system."	Introduction of Vision 2020, Comprehensive Plan for Seminole County
Preservation of Character and Open Space  <i>Rural Character</i>	Within the Wekiva River Protection Area, the term "rural character" means those characteristics which convey a sense of rural characteristics which convey a sense of rural lifestyle including agricultural uses, limited residential density at one (1) unit per net buildable acre or less, large lots, ample views of wooded areas and open space, preservation of greenway and wildlife corridors, narrow pavement widths, rural roadway corridors, public and private roads predominantly no more than two (2) lanes in width ... and a preference for rural vernacular architecture...	Definition of Rural Character Introduction of Vision 2020, Comprehensive Plan for Seminole County
Preservation of Character and Open Space	"The County shall continue to use and enforce, at a minimum, the open space requirements of the Planned Unit Development zoning classification and the County's arbor and landscaping regulations as set forth in the Land Development Code."	Policy CON 3.7, Open Space Regulation Conservation Element of Vision 2020, Comprehensive Plan for Seminole County

Preservation of Character and Open Space	"The County shall develop standards for the preservation of large canopy trees and natural vegetation through coordinated design and use of water bodies and wetlands for multiple uses such as stormwater management and development amenities."	Policy CON 1.1, Multiple Use Design Element of Vision 2020, Comprehensive Plan for Seminole County
Cluster Development	A development, usually residential, in which lot sizes are reduced while the overall density is not increased, thereby creating common open space areas, which are permanently restricted from development through recorded binding legal instruments.	Definition of Cluster Development Introduction of Vision 2020, Comprehensive Plan for Seminole County
Cluster Development	"The County shall encourage planned unit developments and cluster type developments in order to preserve large contiguous areas of wetlands and other environmentally sensitive communities."	Policy CON 3.8, PUD/Cluster Developments Conservation Element of Vision 2020, Comprehensive Plan for Seminole County
Cluster Development	"An effective by-product of the Future Land Use designations is the application of unique planning techniques, such as clustering. Clustering is one of the most effective tools for preserving wetlands during development, when applied properly. Currently, clustering is encouraged in Planned Developments, the Wekiva Protection Area (Objective FLU: 14) and the Rural area (FLU Policy 11.4). There are demonstrated examples of the success of this technique in Seminole County (Alaqua Lakes, Magnolia Plantation)."	Discussion of Unique Planning Techniques Conservation Element of Vision 2020, Comprehensive Plan for Seminole County

Cluster Development	<p>"The County shall provide for clustering of uses within planned unit developments to:</p> <ul style="list-style-type: none"> <li>A. Preserve conservation areas and other open space and groundwater aquifer recharge areas;</li> <li>B. Allow for creative design;</li> <li>C. Provide for open space;</li> <li>D. Promote the efficient use of infrastructure;</li> <li>E. Provide sites for schools; and</li> <li>F. Promote affordable housing opportunities." </li></ul>	Policy 1.5, Cluster Development Future Land Use Element of Vision 2020, Comprehensive Plan for Seminole County
Cluster Development	<p>"The County shall continued to enforce Land Development Code provisions relating to rural clustering designed to:</p> <ul style="list-style-type: none"> <li>A. Preserve open space along roadway corridors;</li> <li>B. Preserve open space in rural residential areas;</li> <li>C. Preserve natural amenity areas;</li> <li>D. Enhance the rural character of the area; and</li> <li>E. Ensure that development along roadway corridors improves or protects the visual character of the corridor by encouraging the clustering of dwelling units, as long as lots are no smaller than one (1) acre, with the perpetual reservation of the undeveloped buildable land as open space." </li></ul>	Policy 11.4, Rural Cluster Development Future Land Use Element of Vision 2020, Comprehensive Plan for Seminole County
Cluster Development	<p>"On property having the Suburban Estates land use designation, wetlands, rare upland habitat, greenways, and wildlife corridors preserved by clustering or the creation of open space through the use of PUD zoning shall be permanently protected by dedication to the St. Johns Water Management District or through the establishment of conservation easements."</p>	Portion of Policy 14.9, Wekiva River Protection Area Design Standards Future Land Use Element of Vision 2020 Comprehensive Plan for Seminole County

Conservation Criteria	"Modify the Land Development Code to establish areas where no loss of wetlands is appropriate and to require the conservation of wetland systems (including upland buffers, the mosaic of isolated and connected wetlands, natural hydrologic patterns, and natural processes such as fire ) in the Econlockhatchee and Lake Jesup Basins, the Wekiva River Protection Areas..."	Portion of Policy CON 3.4, Wetland Regulation Conservation Element Vision 2020, Comprehensive Plan for Seminole County
Conservation Criteria	"The County shall continue to regulate development and preserve environmentally sensitive areas by means of the Conservation future land use designation and associated provisions of the Land Development Code where soils, topography, wetlands, floodplains, land use, and other constraints exist."	Policy FLU 1.1, Conservation Land Use Land Use Element Vision 2020, Comprehensive Plan for Seminole County
Flexible Lot Requirements	"The County shall develop more flexible Land Development Code provisions and variances for the placement of buildings and setbacks to preserve and enhance large canopy trees and natural vegetation..."	Policy FLU 5.19, Administrative Approval of Waivers to Lot Size and Width Future Land Use Element of Vision 2020, Comprehensive Plan for Seminole County
Flexible Lot Requirements	"By December, 2002, the County shall adopt amendments to the Land Development Code that permit the Planning and Development Director to approve administrative waivers to lot size and width in the RC-1, A-1, A-3, A-5, and A-10 zoning districts."	Policy FLU 5.19, Administrative Approval of Waivers to Lot Size and Width Future Land Use Element of Vision 2020, Comprehensive Plan for Seminole County

Creative Design Process	"A mixed use concept plan must be submitted as part of any application to rezone to the MRO, MROC or MROCI zoning classification. The concept plan shall illustrate the location of the proposed uses and indicate densities and intensities and facility improvements."	Discussion of Concept Plan Requirements Policy FLU 5.16, Mixed Use Development Future Land Use of Element Vision 2020, Comprehensive Plan for Seminole County
Conservation Easements	"Additional measures for the protection of these systems should be evaluated along with the concentration of mitigation efforts, acquisition programs, and partnerships with other agencies and private landowners."	Discussion of Wetland Protection Conservation Element Vision 2020, Comprehensive Plan for Seminole County
Conservation Easements	"The County shall continue to rely upon conservation easements or require dedication of open space areas to an appropriate agency as a tool for preserving floodplain, wetland and ecologically significant communities."	Policy CON 3.9, Conservation Easements/Dedication Conservation Element of Vision 2020, Comprehensive Plan for Seminole County
Conservation Easements	"The County shall continue to require the dedication of conservation easements as a means of protecting the functions of floodways."	Policy DRG 2.4, Conservation Easements Drainage Element Vision 2020, Comprehensive Plan for Seminole County

**MINUTES OF THE SEMINOLE COUNTY  
LPA/P&Z COMMISSION  
JULY 23, 2003  
6:00 P.M.**

Members present: Ben Tucker, Beth Hattaway, Thomas Mahoney, Dudley Bates, Chris Dorworth, Alan Peltz

Absent: Richard Harris

Also present: Matt West, Planning Manager, Don Fisher, Manager of Planning and Development Division, Karen Consalo, Assistant County Attorney, Tony Matthews, Principal Planner, Dick Boyer, Senior Planner, and Candace Lindlaw-Hudson, Sr. Staff Assistant.

- E. Conservation Village, Seminole County, Applicant:** Update of Issue FLU 7, Special Area Plans and Evaluation and Appraisal Report Amendments and add Policy FLU 9.3 Special Area Plans to include Myrtle Street Study Area Conservation Village Development Concept.

County Wide  
Tony Walter, Principal Planner

Mr. Walter introduced the item by stating that at the March 11, 2003 Board of County Commissioners meeting staff was instructed to pursue implementation of the Conservation Village Design Concept for the Myrtle Street Special Study Area. Staff was also directed to proceed with Phase III of the Study to coincide with the upcoming schedule for Vision 2020 Comprehensive Plan amendments. The Phase III Myrtle Street Study is currently underway.

The purpose of the Phase III Study is to identify and prepare needed amendments to Seminole County's Vision 2020 Comprehensive Growth Management Plan to incorporate policies supportive of the "conservation village" development and design concepts identified in Phase II. Phase III will also involve preparation of new or amended ordinance provisions in the Seminole County Land Development Code and the evaluation of possible incentive approaches to facilitate implementation of the concept.

Mr. Walter stated that the Phase III activities will be conducted to coincide with the County's upcoming schedule for consideration of Vision 2020 Comprehensive Plan amendments in the Fall 2003 amendment cycle and conclude with adoption in December, 2003. The results of Phase III will be presented to the LPA/P&Z later this summer.

Mr. Walter said that to begin the plan amendment process, staff has prepared a proposed draft text amendment to update Issue FLU 7, Special Area Plans and



Evaluation and Appraisal Report Amendments and a new Policy FLU 9.3, Myrtle Street Study Area Conservation Village Development Concept to add to Objective FLU 9, Specific Area Plans for LPA/P&Z consideration and recommendation to the Board of County Commissioners.

Commissioner Mahoney asked the purpose of FLU 7. What are we trying to accomplish by adding that to the Comprehensive Plan?

Mr. Walter stated that it is to address efficiency in development.

Commissioner Mahoney stated that he saw no purpose in creating a history of what we had done previously in the Comprehensive Plan.

No one had questions from the public.

The public hearing portion of the meeting was now closed.

Commissioner Mahoney asked about density in the conservation village concept.

Mr. Walter stated that density is not addressed in the concept. It may be added later on.

Robert King stated that this concept should be promoted.

Robert Jasmine stated that Commissioner McLain asked him in October of 2001 to form a steering committee. The committee wants to remain suburban estates at one unit per acre. There is a need to work out who will be paying for things like the \$22.5 million price tag for storm water improvement in this area in phase 3. Mr. Jasmine stated that the committee thinks the concept can work at one unit per acre. There may not be enough land to work this out, however. He hopes that this can be passed on.

Debra Shafer of 1740 Bromley Road stated that this concept can be used in several areas of the county. We must address density. She asked to have this passed forward.

Hugh Harling stated that there is definitely a market for smaller lots. It is good to provide variety in lot size. Sameness does not provide value. Density influences ability to deliver services to an area. The Conservation Village will save wild life and provide for drainage. The Code and Public Works are the biggest challenge to developers today. Standards have shifted. Smaller road systems should be able to be designed. Exceptions to current requirements would help.

Don Fisher stated that Mr. Walter will be presenting this concept to the Board of County Commissioners.

Commissioner Tucker asked if the concept would be applied throughout the county with slight modifications.

Mr. Fisher stated that this concept will help to point out areas to be preserved on a property under development and for preservation of open space.

Commissioner Mahoney stated that the Board of County Commissioners had already directed the execution of Phase 3. He wanted to add that density should be addressed early. Density is necessary to have services delivered.

Don Fisher stated that financial feasibility is part of the Phase 3 consideration.

Commissioner Hattaway asked about exceptions being provided in this element.

Mr. Fisher stated that exceptions will be recommended as part of the Conservation Village Element.

Commissioner Mahoney made a motion to recommend to the BCC that they adopt Policy FLU 9.3.

Commissioner Peltz seconded the motion.

The motion passed by unanimous consent (6 – 0).

Commissioner Mahoney made a motion to recommend to the BCC that they not adopt FLU 7.

Commissioner Dorworth seconded the motion.

Commissioner Bates pointed out that the difference was only the addition of a few words.

Commissioner Mahoney withdrew his motion.

Commissioner Peltz made a motion to recommend approval of FLU 7.

Commissioner Bates seconded the motion.

Commissioner Mahoney stated that he objected and would be voting “no.”

The motion passed by a vote of 5 – 1.

**BOARD OF COUNTY COMMISSIONERS**

**SEMINOLE COUNTY, FLORIDA**

**AUGUST 12, 2003**

The following is a non-verbatim transcript of the **BOARD OF COUNTY COMMISSIONERS MEETING OF SEMINOLE COUNTY, FLORIDA**, held at 9:33 a.m. on Tuesday, August 12, 2003, in the **SEMINOLE COUNTY SERVICES BUILDING** at **SANFORD, FLORIDA**, the usual place of meeting of said Board.

**Conservation** Village Design Concept in the Myrtle Street Special Study Area, received and filed.

Tony Walter, Planning, addressed the Board to state the purpose of the text amendments is to provide policies addressing implementation of the concept within the Myrtle Street area only. He stated there are two proposed text amendments and the first one is a proposed addition to FLU 7, which identifies Myrtle Street Special Area Study. The second one is a proposed new policy (FLU 9), which would incorporate the Myrtle Street Special Area Study Concept. That policy would provide for creative design concepts focused on preservation of natural open spaces, sensitive lands and the area's character within a Plan Unit Development. He said Phase III is underway and staff anticipates that will be completed and will be brought back to the Board in October.

Commissioner Henley stated he is opposed to Item F of FLU 9.3 relating to adding density to achieve open space. He stated he doesn't believe a clustering approach should be for the purpose of increasing density.

Don Fisher, Planning & Development Director, addressed the Board to state there are a couple of reasons why the Board might consider allowing additional density. He asked when open space is dedicated to the public, who is going to pay to maintain that property. Some portions of the lots can be used toward a trust and that can be used to maintain those open space areas. There are other reasons that are valid to increase density but it has to be for those types of specific things.

Upon inquiry by Chairman McLain, Mr. Fisher advised if something is dedicated to a public good and if there is a way to pay for it, that can be a mechanism.

Commissioner Henley stated he cannot see it as a plus when donating land for open space where you cannot build on it anyway.

Chairman McLain stated he believes they are talking about buildable property. He stated he feels the language can be made clearer.

Matt West, Planning Manager, addressed the Board to state he feels the better approach is to say “allow density credits where a development complies with the **Conservation Village Concepts** as would be enumerated in the regulations adopted.”

Commissioner Henley stated he can support that if those conditions are added.

No one spoke in support or in opposition.

Chairman McLain recommended continuing this item to 6:00 p.m. in order to work out the revised language. The Board had **no objections**.

**TEXT PLAN AMENDMENT, Continued**

Chairman McLain advised this item was continued from the afternoon meeting.

Tony Walter, Planner, addressed the Board to state staff has revised the language (copy of memorandum to the Board with the amended language attached was received and filed) for Item #F for the proposed New Policy FLU 9.3 to read “Provide for an opportunity to apply for density bonuses to encourage developments with significant public benefit as they relate to roads, water, sewer and stormwater infrastructure, preservation of upland open areas, and quality of life in Seminole County.”

Commissioner Henley stated he asked staff for the revision to be more specific, and he thanked them for reconsidering this. He is satisfied with this amended language.

No one spoke in support or in opposition.

**Motion** by Commissioner Maloy, seconded by Commissioner Van Der Weide, to transmit the proposed Text Amendments, as revised, to the Seminole County Vision 2020 Comprehensive Plan to the Florida Department of Community Affairs (DCA) to implement the **Conservation** Village Design Concept in the Myrtle Street Special Study Area, with staff findings; as described in the proof of publication.

Districts 1, 3, 4, and 5 voted AYE.

Commissioner Morris was not in attendance at this time.